IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 6TH NOVEMBER 2006 / 15TH KARTHIKA 1928

Bail Appl..No. 6342 of 2006()

CRIME NO.270/2006 OF PALODE POLICE STATION

PETITIONER/1ST ACCUSED

UDAYAKUMAR, S/O. LATE KRISHNAPPAN NAIR,
KADUVACHIRA PUTHENVEEDU, KALAMKAVU,
NANDIYODE P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.M.R.ARUN KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 6342 of 2006

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Dated this the 6th day of November, 2006

O R D E R

The petitioner is the first accused, in Crime No.270/2006 of Palode Police Station, for the offence punishable under Sections 308 and 323 I.P.C., read with Section 34 of the Indian Penal Code. It is alleged that, on 29/09/2006, the accused, two in number, had assaulted the de facto complainant, causing him, contused abrasions on the right side of forehead and, multiple abrasions and contusions on the right side of face.

2. The counsel for the petitioner submits that the uncle of the de facto complainant had assaulted the wife of the petitioner and caused injuries, on the same day, that is 29/09/2006, at 6 p.m. This case has been falsely foisted against the petitioner because of the influence of the uncle, submits the counsel.

3. Without going into the merit of the matter and considering the materials placed before me, I direct the petitioner to surrender before the Investigating Officer, who is

investigating Crime No.270/2006 of Palode Police Station, on 13/11/2006, at 10 a.m.

4. The Investigating Officer shall interrogate the petitioner and, thereafter, produce him before the court below, on the same day.

5. On production of the petitioner, the learned Magistrate shall allow him to be on bail, on imposing such conditions.

(J.M.JAMES)
Judge

ms